

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.11481 of 2004

ORDER:

Heard the learned counsel for the petitioner.

The petitioners pray for a Mandamus declaring the action of the respondents in trying to dispossess them from plot Nos.128 and 129 in Sy.No.322 of Ramagundam, Karimnagar District, as illegal and unconstitutional.

In the counter-affidavit, the 1st respondent stated as follows:

The land in Sy.No.322 is a vast extent of land and part of it belongs to the Forest Department and Revenue Department. An extent of Ac.146.02 cents was transferred to the A.P.S.E.B on payment of market value and since then it is in possession and enjoyment of the same. There is a 24 inch Diameter water pipeline used for drawing water from river Godavari to RTS Project running across the land and there are residential quarters of the staff of the Corporation apart from offices. Taking advantage of the fact that there is no compound wall around the land of the Corporation, some constructions are made by some persons on the ground that they were granted pattas by the Mandal Revenue Officer, Ramagundam. Regarding the same, the 2nd respondent addressed a letter dated 28.02.2004 to the Mandal Revenue Officer, Ramagundam, to take action. The Revenue Authorities have surveyed the land and found that there are encroachments on the land of the A.P.Genco and assured that action would be taken against the encroachers.

Having regard to the stand taken by the 1st respondent, learned counsel for the petitioners requests the Court to permit the petitioners

to file a representation to respondents 5 and 6 for appropriate relief vis-à-vis the alleged pattas granted in January, 1999 and they may be directed to consider and pass appropriate orders.

I am satisfied that this Writ Petition can be disposed of as follows:

The petitioners are given four (4) weeks time from the date of receipt of a copy of this order to represent to respondents 5 and 6 for appropriate relief on the strength of alleged assignment made in their favour in January, 1999. Respondents 5 and 6 are directed to take appropriate action on the representation within eight (8) weeks thereafter. This Court is not expressing any view on the merits of the case, it is for the Authorities to examine the grievance and pass appropriate orders.

With the above directions and observations, this Writ Petition is disposed of. No costs.

Miscellaneous petitions pending if any, shall stand closed.

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S.V. BHATT, J

Date: 15.06.2016
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